

REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed November 9, 2005. At the time of the Final Office Action, Claims 1-3, 5, 8-12, and 14-16 were pending in this Application. Claims 4, 6, 7, 13 and 17 were previously cancelled due to an election/restriction requirement. Claims 1-3, 5, 8-12, and 14-16 were rejected. Applicant respectfully requests reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 102

Claims 1-3, 5, 8-12, and 14-16 stand rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 1,235,026 issued to G. P. Roux ("Roux"). Applicant respectfully traverses and submits the cited art does not teach all of the elements of the claimed embodiment of the invention.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1997). Furthermore, "the identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicant respectfully submits that the art cited as anticipatory by the Examiner cannot anticipate the rejected claims, because the cited art does not show all the elements of the present claims.

Independent Claims 1, 10 and 15 each recite, among other elements, a conducting element (or the use thereof) with a recess formed therein for mating with a sealing element. Specifically, Independent Claim 1 recites a, "sealing body touching both the conducting element and the housing wall ... the conducting element has at least one recess within which the sealing body can be moved in a radial direction." (Emphasis Added.) Independent Claim 10 recites, "a sealing body touching both the conducting element and the housing wall ... the conducting element has at least one recess within which the sealing body can be moved in a radial direction." Independent Claim 15 recites, "locating the sealing body in the radial

direction in at least one recess provided in a contact arm in the cross-sectional profile of the conducting element." (Emphasis Added.)

Examiner cites to Roux as anticipating all of the elements of the present claimed embodiments. Applicant notes that Roux is generally directed at terminal boxes for use with cables. See page 1, lns. 11-24. With respect to Independent Claims 1 and 10, Roux clearly does not teach a "sealing body touching both the conducting element and the housing wall." Examiner cites to elements 25 and 20 as teaching a "sealing body" as recited. As is clearly shown and discussed, elements 25 and 20 contact pipe element, a surface of flange 4 and stuffing box element 8. Elements 25 and 20 do not, however, contact cable element 10. Accordingly, elements 25 and 20 fail to disclose teach or suggest a sealing body that touches a housing wall and a conducting element as recited.

With respect to Independent Claims 1, 10 and 15, Roux also does not disclose, teach or suggest a conducting element that "has at least one recess within which the sealing body can be moved in a radial direction." Cable 10 of Roux has a uniform, cylindrical cross section and does not include a groove that would allow a sealing body to allow radially movement of a sealing body with respect to the groove. Additionally, it should be noted that cable 10 is "held concentric with the opening 9, therein by an insulating bushing 11 which is adapted to fit snugly about the outer surface of the cable as shown." See page 2, Col. 51-59. Thus, cable 10 is fixed with respect to bushing 11 and stuffing box 8. While the teachings of Roux may permit for radial movement of stuffing box 8 with respect to flange element 4, the positioning of cable 10 with respect to stuffing box is fixed and held concentric with respect to opening 9. As such, Roux fails to disclose teach or suggest a grooved conducting element that permits radial movement of a sealing body within the conducting element groove.

Accordingly, Applicant submits that the present rejection under §102 is unsupported and requests reconsideration, withdrawal of the §102 rejections and full allowance of Independent Claims 1, 10 and 15 and Claims 2, 3, 5, 8, 9, 11, 12, 14 and 16 which depend therefrom.

CONCLUSION

Applicant has now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicant respectfully requests reconsideration of the claims as amended.

Applicant believes there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney at 512.322.2545.

Respectfully submitted,
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